

APPENDIX II

Changes to Special Ordinance and Ordinance made by Grace 1 of 31 March 2021

The following annexes set out changes approved by Grace 1 of 31 March 2021 concerning the recognition of the merger of Cambridge University Press and Cambridge Assessment in the University's Statutes and Ordinances. The changes in Annexes C and D remain contingent on the approval of Her Majesty in Council of changes to Statute [approved by that Grace].

ANNEX A: Transitional changes to Special Ordinance and Ordinance

The following changes to Special Ordinance and Ordinance came into effect from 1 August 2021 and will remain in effect until the changes set out in Annex C come into effect.

- (a) Ordinance on membership of the Regent House under Special Ordinance A (i) (f) (p. 110): by deleting paragraph (v) and renumbering the remaining paragraphs.
- (b) Special Ordinance A (vii) (p. 73): by deleting paragraph (i) and renumbering the remaining paragraphs.
- (c) By rescinding the Ordinance for the Local Examinations Syndicate (p. 129).
- (d) Ordinances for the Press Syndicate (p. 131): by amending Regulations 1 and 3 to read as follows:

1. The Press Syndicate shall consist of:

- (a) the Vice-Chancellor (or a duly appointed deputy) as Chair;
- (b) a University officer appointed by the Council;
- (c) at least twelve members with experience and expertise in matters relevant to the work of the Syndicate, appointed by the Council to serve for four years following their appointment.

3. Without prejudice to the generality of the powers conferred by Statute on the Press Syndicate for the management of the affairs of the University Press, the Press Syndicate shall be authorised in the name of the University to exercise in relation to the affairs of the University Press the following powers (being powers which for the avoidance of doubt it is desirable to mention expressly) namely:

- (a) to engage such persons for employment in the service of the University Press as it in its sole discretion shall from time to time decide, and to determine their salaries and conditions of their service, including notice of termination of employment and retiring age;
- (b) to bring, defend, and conduct on behalf of the University any legal proceedings in connection with the affairs of the University Press, provided that before instituting such proceedings it shall notify the Vice-Chancellor of its intention so to do; and it shall also notify the Vice-Chancellor, as soon as circumstances permit, of any legal proceedings threatened or brought against the University in connection with the affairs of the University Press;
- (c) to acquire for the purposes of the University Press any property real or personal and whether in the United Kingdom or elsewhere or any estate or interest therein; and to dispose in any manner of any such property, being property of the University Press; but subject always to the provisions of the general regulations for University property (sites and buildings) insofar as it shall be expressly stated to apply to the University Press, and, as regards land in the United Kingdom, to any restrictions for the time being imposed by law on the acquisition or disposal of land by the University;
- (d) to establish and maintain branches of the University Press in any part of the world and if it thinks fit to cause companies or other bodies approved by them to be incorporated for the holding or management of any such branches;
- (e) to establish reserve funds when in its opinion such funds are necessary to make provision for the future continuance of the University Press or for its prospective liabilities;
- (f) to cause the Press Seal to be affixed to any document in accordance with the provisions of Regulation 7 of these regulations;
- (g) to delegate any of its powers to a committee of the Press Syndicate or, except in the case of its power under sub-paragraph (f) of this regulation, to any officer of the University Press;
- (h) to co-operate with the Department for Education, associations of teachers, and other bodies in Great Britain in the provision of examinations, and to issue certificates to successful candidates;
- (i) to co-operate with educational authorities and other bodies overseas in the provision of examinations and to issue special certificates;
- (j) to make arrangements for the inspection of schools on application by the school authorities;
- (k) to conduct special scholarship and other examinations, primarily intended for persons who are not members of the University, such as examinations for Certificates of Proficiency in English and other modern languages, and to co-operate with other bodies for such purposes;

- (l) to administer under Ordinance or Grace or when requested by the Council such scholarship and prize funds as may be or have been established from benefactions to the University and to award any such scholarship or prize; and
 - (m) to make donations from time to time, subject to the approval of the Council, to the Cambridge Commonwealth, European and International Trust, and other trusts established by the University to raise funds for the support of students from overseas studying in the University.
- (e) Ordinance for the Staff Childcare Committee (p. 144): by amending Regulation 1(c) to read as follows:
- (c) one person appointed by the Press Syndicate;
- (f) Ordinance for the East Midland Regional Examinations Board Fund (p. 849): by amending Regulation 2 to read as follows:

2. The capital and income of the EMREB Fund shall be at the disposal of the Press Syndicate for the following purposes:

- (a) to promote and develop the General Certificate of Secondary Education administered by the Midland Examining Group;
 - (b) to make payments to members of the staff of the EMREB whose employment is terminated by reason of redundancy or premature retirement;
 - (c) to provide relocation expenses for members of the staff of the EMREB who are transferred to Cambridge to work in the office of the University Press;
 - (d) to meet any costs which may fall on the University as a consequence of the transfer to the University of the assets and undertakings of the EMREB and the liabilities and commitments of the EMREB or its Governing Council.
- (g) Ordinance for the West Midlands Examinations Board Fund (p. 1037): by amending Regulations 2 and 3 to read as follows:

2. The capital and income of the Fund shall be at the disposal of the Press Syndicate for the following purposes:

- (a) to promote and develop examinations administered by Oxford Cambridge and RSA Examinations (OCR);
- (b) to provide annually one or more bursaries or prizes for students resident and educated in the West Midlands area;
- (c) to provide annually one or more bursaries for teachers in service in the West Midlands area to enable them to undertake a period of study leave or research with the University Press or OCR into some aspect of educational development, particularly learning and assessment.

3. The Press Syndicate may make such rules from time to time as may be necessary to govern the award of bursaries and prizes under Regulation 2(b) and (c).

- (h) Ordinance on the Accounts (p. 1096): by amending Regulation 2 to read as follows:

2. The Council shall also publish an abstract of each of the following accounts: the accounts of the University Farm, the accounts of the Contributory Pension Fund, the accounts of the Colleges Fund, and the accounts of any amalgamated fund established by the Council under the provisions of Regulation 6(e) of the regulations for financial matters.

ANNEX B: Transitional changes to matters outside Ordinance

The following changes were made to matters outside Ordinance by the Council and/or other bodies with effect from 1 August 2021 and will remain in effect until the changes set out in Annex D come into effect.

- (a) Vet.M.B. Degree (p. 585): by amending paragraph 5 of Schedule A, made by the Faculty Board of Veterinary Medicine, to read as follows:

5. Passes in subjects of examinations for certificates conducted overseas by the University Press shall be considered for equivalence according to the level attained, provided always that the examination is conducted in the medium of English.

- (b) General Board's Notice on Leave of absence under Special Ordinance C (i) 1 (p. 698): by amending paragraph 7 to read as follows:

7. For the purpose of paragraph 6(b) above, the General Board does not regard examining for the University Press as falling under the head of examining for the University.

- (c) Financial Regulations (p. 1064): by amending Regulation 1, made by the Council after consultation with the Finance Committee, to read as follows:

- 1.1. These Regulations apply to
 - all University Income and Business;

- all Staff; and
 - all Departments and University subsidiary companies but not Cambridge University Press.
- (d) Sites and Buildings Regulations (p. 1074), made by the Council, the Finance Committee and the General Board: by deleting Regulation 5.3 and amending Regulations 1.3, 3.4, and 3.7 to read as follows, retaining all footnotes except those amended below:
- 1.3 These regulations apply to all University land and buildings owned or leased or to be acquired by the University and related capital and maintenance expenditure. The regulations must be followed by all Staff; all Departments and University subsidiary companies but not Cambridge University Press except where specifically provided (the Press is governed by its own Statute and Ordinances).
- 3.4 The *Estates Strategy Committee* is a sub-committee of the PRC which advises on the strategic management of the Operational and Non-Operational Estate. In doing so it takes account of the estate plans for Cambridge University Press.
- 3.7 The Buildings Committee oversees applications for planning approvals for the Operational Estate and is consulted by Cambridge University Press about planning applications for premises and land in the city of Cambridge. Planning Applications which it considers are inconsistent with the University's long-term estate strategy and agreed principles and policies for planning and design may be referred to the Estates Strategy Committee before any approval is given.
- And in Schedule 5 of the Sites and Buildings Regulations (p. 1084): by deleting the definition of Cambridge Assessment and revising the definition of the Operational Estate to read as follows:
- 'Operational Estate' Land and buildings currently used for teaching and research or for administrative and other support functions, including the University Farm, and retention of specialist use and 'churn' space but excluding land used by Cambridge University Press.
- (e) By amending all footnotes to replace references to Cambridge Assessment with references to Cambridge University Press and to replace references to the Local Examinations Syndicate with references to the Press Syndicate.

ANNEX C: Changes to Special Ordinance and Ordinance following approval of changes to Statute

The following changes will be made to Special Ordinance and Ordinance when the proposed amendments of Statute approved by Grace 1 of 31 March 2021 are approved by Her Majesty in Council.

- (a) Special Ordinance A (i) (p. 69): by amending paragraph (b) to read as follows:
- (b) other University officers and persons treated as such under Statute J 7;
- (b) Special Ordinance A (vii) (p. 73): by deleting paragraph (i) and renumbering the remaining paragraphs.
- (c) Ordinance on membership of the Regent House under Special Ordinance A (i) (f) (p. 110): by deleting paragraph (v) and renumbering the remaining paragraphs.
- (d) Ordinance on the Board of Scrutiny (p. 119): by amending Regulation 3 to read as follows:
- 3.** The Board shall have power, in accordance with Statute A VII 5(a), to consult any official documents or accounts (other than those of the University Press) which are relevant to any enquiry that they may conduct under the provisions of Regulation 2; they shall also have power, under the provisions of Statute A VII 5(b), to consult such documents or accounts relating to the University Press as have been submitted by the Press and Assessment Syndicate or by officers of the Press and Assessment Department to the Council or to the Finance Committee of the Council.
- (e) By rescinding the Ordinances for the Local Examinations Syndicate (p. 129).
- (f) By amending the Ordinances for the Press Syndicate (p. 131) to read as follows:

PRESS AND ASSESSMENT SYNDICATE

1. The Press and Assessment Syndicate shall consist of:

- (a) the Vice-Chancellor (or a duly appointed deputy) as Chair;
- (b) a University officer appointed by the Council;
- (c) at least twelve members with experience and expertise in matters relevant to the work of the Syndicate, appointed by the Council to serve for four years following their appointment.

The Press and Assessment Syndicate shall appoint a Secretary of the Press and Assessment Syndicate who shall be the Chief Executive of the Press and Assessment Department. The duties of the Chief Executive shall be determined by the Press and Assessment Syndicate, which shall be authorised to appoint, reappoint and dismiss the Chief Executive.

2. No business shall be transacted at any meeting of the Press and Assessment Syndicate unless five members at least are present.

3. Without prejudice to the generality of the powers conferred by Statute on the Press and Assessment Syndicate for the management of the affairs of the Press and Assessment Department, the Press and Assessment Syndicate shall be authorised in the name of the University to exercise in relation to the affairs of the Press and Assessment Department the following powers (being powers which for the avoidance of doubt it is desirable to mention expressly) namely:

- (a) to engage such persons for employment in the service of the Press and Assessment Department as it in its sole discretion shall from time to time decide, and to determine their salaries and conditions of their service, including notice of termination of employment and retiring age;
- (b) to bring, defend, and conduct on behalf of the University any legal proceedings in connection with the affairs of the Press and Assessment Department, provided that before instituting such proceedings it shall notify the Vice-Chancellor of its intention so to do; and it shall also notify the Vice-Chancellor, as soon as circumstances permit, of any legal proceedings threatened or brought against the University in connection with the affairs of the Press and Assessment Department;
- (c) to acquire for the purposes of the Press and Assessment Department any property real or personal and whether in the United Kingdom or elsewhere or any estate or interest therein; and to dispose in any manner of any such property, being property of the Press and Assessment Department; but subject always to the provisions of regulations made by the Council for University property (sites and buildings) insofar as it shall be expressly stated to apply to the Press and Assessment Department, and, as regards land in the United Kingdom, to any restrictions for the time being imposed by law on the acquisition or disposal of land by the University;
- (d) to establish and maintain branches of the Press and Assessment Department in any part of the world and if it thinks fit to cause companies or other bodies approved by them to be incorporated for the holding or management of any such branches or for any other purposes of the Press and Assessment Department;
- (e) to establish reserve funds when in their opinion such funds are necessary to make provision for the future continuance of the Press and Assessment Department or for its prospective liabilities;
- (f) to cause the Press and Assessment Seal to be affixed to any document in accordance with the provisions of Regulation 7 of these regulations;
- (g) to delegate any of their powers to a committee of the Press and Assessment Syndicate or, except in the case of their power under sub-paragraph (f) of this regulation, to any officer of the Press and Assessment Department;
- (h) to co-operate with the Department for Education, associations of teachers, and other bodies in Great Britain in the provision of examinations, and to issue certificates to successful candidates;
- (i) to co-operate with educational authorities and other bodies overseas in the provision of examinations and to issue special certificates;
- (j) to make arrangements for the inspection of schools on application by the school authorities;
- (k) to conduct special scholarship and other examinations, primarily intended for persons who are not members of the University, such as examinations for Certificates of Proficiency in English and other modern languages, and to co-operate with other bodies for such purposes;
- (l) to administer under Ordinance or Grace or when requested by the Council such scholarship and prize funds as may be or have been established from benefactions to the University and to award any such scholarship or prize; and
- (m) to make donations from time to time, subject to the approval of the Council, to the Cambridge Commonwealth, European and International Trust, and other trusts established by the University to raise funds for the support of students from overseas studying in the University.

4. All property of the Press and Assessment Department the title of which is capable of registration shall be registered in the name of the Chancellor, Masters, and Scholars of the University of Cambridge, or of nominees approved by the Finance Committee of the Council.

5. The financial year of the Press and Assessment Department shall end on 31 July.

6. The Press and Assessment Syndicate shall prepare, and shall publish an abstract of, the annual accounts of the Press and Assessment Department.

7. The Press and Assessment Syndicate shall provide for the safe custody of the Press and Assessment Seal, which shall be used only by the authority of the Press and Assessment Syndicate or of a committee of the Press and Assessment Syndicate authorised by the Press and Assessment Syndicate in that behalf, and every instrument to which the Press and Assessment Seal shall be affixed shall be signed

by a member of the Press and Assessment Syndicate and countersigned by the Secretary of the Press and Assessment Syndicate or by some other employee of the Press and Assessment Department who has been designated by the Press and Assessment Syndicate for that purpose.

(g) Ordinance for the Staff Childcare Committee (p. 144): by amending Regulation 1(c) to read as follows:

(c) one person appointed by the Press and Assessment Syndicate;

(h) Ordinance for the Universities Superannuation Scheme (p. 147): by amending Regulation 2(b) to read as follows:

(b) any person engaged by the Press and Assessment Syndicate in the service of the University Press;

(i) Ordinance on the Status of Master of Arts (p. 175): by amending Regulation 2(a) to read as follows:

(a) a University officer during her or his tenure of office, or a person holding a post in the Press and Assessment Department specially designated under Statute J 7;

(j) Ordinance on Incorporation (p. 176): by amending Regulation 1(d) to read as follows:

(d) has been admitted to a University office or a Headship or a Fellowship (other than an Honorary Fellowship) of a College, or holds a post in the Press and Assessment Department specially designated under Statute J 7 or is a Head-elect or designate of a College;

(k) Ordinance on the degree of Master of Arts (p. 452): by amending Regulation 3(c)(iv) to read as follows:

(iv) a post in the Press and Assessment Department specially designated under Statute J 7;

And in the footnote attached to Regulation 3(c)(v) by deleting the reference to the Local Examinations Syndicate.

(l) Ordinance for the Pitt Professor of American History and Institutions (p. 722): by amending Regulation 3 to read as follows:

3. The sum of £49,000 transferred from the funds of the University Press (now part of the Press and Assessment Department) to the Chest shall constitute a Pitt Professorship Fund.

(m) Ordinance for the Archbishop Cranmer Prize, Grants and Studentships (p. 837): by amending Regulation 11 to read as follows:

11. If the income of the fund is materially augmented by the sale of published Prize essays beyond what is necessary to provide for the purposes specified in Regulations 6, 9, and 10 the Council may, on the advice of the Finance Committee, authorise grants to be made from the excess to the University Library or to the Press and Assessment Department.

(n) Ordinance for the East Midland Regional Examinations Board Fund (p. 849): by amending Regulation 2 to read as follows:

2. The capital and income of the EMREB Fund shall be at the disposal of the Press and Assessment Syndicate for the following purposes:

(a) to promote and develop the General Certificate of Secondary Education administered by the Midland Examining Group;

(b) to make payments to members of the staff of the EMREB whose employment is terminated by reason of redundancy or premature retirement;

(c) to provide relocation expenses for members of the staff of the EMREB who are transferred to Cambridge to work in the office of the Press and Assessment Department;

(d) to meet any costs which may fall on the University as a consequence of the transfer to the University of the assets and undertakings of the EMREB and the liabilities and commitments of the EMREB or its Governing Council.

(o) Ordinance for the Mott Publication Fund (p. 940): by amending Regulation 1 to read as follows:

1. The royalties accruing from the Agreement between the Syndics of the Cambridge University Press (now the Press and Assessment Syndicate) and the Department of Physics (the Cavendish Laboratory) relating to two volumes of *The Physics of Metals* published in 1967 and 1975 in recognition of the work of Professor Sir Nevill Mott shall form a fund, called the Mott Publication Fund, which shall be used for the support of those engaged in research in the Cavendish Laboratory.

(p) Ordinance for the West Midlands Examinations Board Fund (p. 1037): by amending Regulations 2 and 3 to read as follows:

2. The capital and income of the Fund shall be at the disposal of the Press and Assessment Syndicate for the following purposes:

- (a) to promote and develop examinations administered by Oxford Cambridge and RSA Examinations (OCR);
- (b) to provide annually one or more bursaries or prizes for students resident and educated in the West Midlands area;
- (c) to provide annually one or more bursaries for teachers in service in the West Midlands area to enable them to undertake a period of study leave or research with the Press and Assessment Department or OCR into some aspect of educational development, particularly learning and assessment.

3. The Press and Assessment Syndicate may make such rules from time to time as may be necessary to govern the award of bursaries and prizes under Regulation 2(b) and (c).

(q) Ordinance on Financial Matters (p. 1061): by amending Regulation 5 to read as follows:

5. Regulations 2–4 shall not apply to the finance and property of the Press and Assessment Department, which shall be governed by Statute J and by the regulations for the Press and Assessment Syndicate made under that Statute and Regulation 2 shall not apply in connection with the management, development and stewardship of the North West Cambridge Estate which is the responsibility of the Property Board, which shall be governed by regulations for that Board made under Statute A VI 1.

(r) Ordinance on Intellectual Property (p. 1086): by amending Regulation 8 to read as follows:

8. The University shall own any registered trademark which would associate the University with the exploitation of a product or service. Notwithstanding Regulation 7, the University shall own copyright, database rights, and other unregistered rights arising from the activities of University staff in the course of their employment by the University in (a) subject matter created for the administrative or managerial purposes of the University, including advice to students other than teaching materials; (b) subject matter such as examination papers and library catalogues; and (c) any other subject matter commissioned by the University, such as special reports on its policy or management. For the purposes of this regulation, works commissioned by the Press and Assessment Department in the course of its business as a publisher of academic books and journals shall not be regarded as such commissioned subject matter.

(s) Ordinance on the Accounts (p. 1096): by amending Regulation 2 to read as follows:

2. The Council shall also publish an abstract of each of the following accounts: the accounts of the University Farm, the accounts of the Contributory Pension Fund, the accounts of the Colleges Fund, and the accounts of any amalgamated fund established by the Council under the provisions of Regulation 6(e) of the regulations for financial matters.

ANNEX D: Changes to matters outside Ordinance following approval of changes to Statute

The following changes will be made by the Council and/or other bodies when the proposed amendments of Statute approved by Grace 1 of 31 March 2021 are approved by Her Majesty in Council.

(a) Schedule of classes of persons excluded from the status of University assistant (p. 153), made by the Council: by amending paragraph (e) to read as follows, deleting paragraph (i) and renumbering the remaining paragraphs:

(e) persons engaged by the Press and Assessment Syndicate,

(b) Vet.M.B. Degree (p. 585): by amending paragraph 5 of Schedule A, made by the Faculty Board of Veterinary Medicine, to read as follows:

5. Passes in subjects of examinations for certificates conducted overseas by the Press and Assessment Department shall be considered for equivalence according to the level attained, provided always that the examination is conducted in the medium of English.

(c) General Board's Notice on Leave of absence under Special Ordinance C (i) 1 (p. 698): by amending paragraph 7 to read as follows:

7. For the purpose of paragraph 6(b) above, the General Board does not regard examining for the Press and Assessment Department as falling under the head of examining for the University.

(d) Financial Regulations (p. 1064): by amending Regulation 1, made by the Council after consultation with the Finance Committee, to read as follows:

1.1. These Regulations apply to

- all University Income and Business;
- all Staff; and
- all Departments and University subsidiary companies but not the Press and Assessment Department.

(e) Sites and Buildings Regulations (p. 1074), made by the Council, the Finance Committee and the General

Board: by deleting Regulation 5.3 and amending Regulations 1.3, 3.4, 3.7, 5.1 and 5.2 to read as follows, retaining all footnotes except those amended below:

1.3 These regulations apply to all University land and buildings owned or leased or to be acquired by the University and related capital and maintenance expenditure. The regulations must be followed by all Staff; all Departments and University subsidiary companies but not the Press and Assessment Department except where specifically provided (the Press and Assessment Department is governed by its own Statute and Ordinances).

3.4 The *Estates Strategy Committee* is a sub-committee of the PRC which advises on the strategic management of the Operational and Non-Operational Estate. In doing so it takes account of the estate plans for the Press and Assessment Department.

3.7 The Buildings Committee oversees applications for planning approvals for the Operational Estate and is consulted by the Press and Assessment Department about planning applications for premises and land in the city of Cambridge. Planning Applications which it considers are inconsistent with the University's long-term estate strategy and agreed principles and policies for planning and design may be referred to the Estates Strategy Committee before any approval is given.

5.1 The *Press and Assessment Syndicate* is responsible for the management of the finance, property, and affairs of the Press and Assessment Department, except if Statutes and Ordinances expressly or by necessary implication provide otherwise. The Press and Assessment Department will consult the Buildings Committee and if necessary the Estates Strategy Committee about any significant planning applications to be made in respect of any premises or land in the city of Cambridge.

5.2 A Grace is not required for the sale or transfer of freehold or leasehold land by the Press and Assessment Department or for the grant of a lease of more than 60 years or for the erection of a new building or for the demolition or substantial alteration of an existing building. However the Press and Assessment Syndicate has undertaken not to dispose, without the approval of the University, of the Pitt Building or of any property acquired from the University and specially designated by agreement between the Press and Assessment Syndicate and the Council at the time of acquisition. The Press and Assessment Syndicate has also undertaken to offer the Council the first option to acquire, at prevailing market price, any property in Cambridge which is to be disposed of by the Syndicate, such option if not taken up to lapse fourteen days after the offer. The Press and Assessment Department will share its estate plan and co-operate with the Estates Strategy Committee in strategic decisions affecting its estate.

And in Schedule 5 by deleting the definition of Cambridge Assessment and revising the definition of the Operational Estate to read as follows:

'Operational Estate' Land and buildings currently used for teaching and research or for administrative and other support functions, including the University Farm, and retention of specialist use and 'churn' space but excluding land used by the Press and Assessment Department.

- (f) By amending all footnotes to replace references to the University Press and/or Cambridge Assessment with references to the Press and Assessment Department, to replace references to the Local Examinations Syndicate and/or the Press Syndicate with references to the Press and Assessment Syndicate, and to update any references to Statute J to reflect the new numbering of its sections.
- (g) In the Council's Notice on Discussions and fly-sheets (p. 116) by replacing the reference to the University Press in paragraph 9 with a reference to the Press and Assessment Department.